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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN JOSE DIVISION

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22 *IN RE: ZOOM VIDEO COMMUNICATIONS*
23 *INC. PRIVACY LITIGATION,*

Master Case No. 5:20-cv-02155-LHK

**JOINT STIPULATION AND [PROPOSED]
ORDER TO EXTEND CASE DEADLINES**

24 This Documents Relates To:
25 All Actions //

STIPULATION

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs and Defendant Zoom Video Communications, Inc. (“Zoom”) (collectively, “the Parties”), by and through their attorneys of record, hereby stipulate as follows:

WHEREAS, the Parties are engaged in continued mediation before the Hon. Jay C. Gandhi (Ret.), which began in November 2020;

WHEREAS, by Stipulation submitted to this Court on April 7, 2021 (ECF No. 176) and granted by this Court on April 8, 2021 (ECF No. 177) (“April Stipulation”), the Parties reported to the Court that they had reached agreement on certain material terms of a settlement and intended to complete settlement negotiations, finalize the details of a settlement, formally memorialize the settlement, and present the settlement to the Court for approval as expeditiously as possible;

WHEREAS, by Stipulation submitted to this Court on May 11, 2021 (ECF No. 178) and granted by this Court on May 13, 2021 (ECF No. 181) (“May Stipulation”), the Parties reported to the Court that since the April Stipulation, they have engaged in continued negotiations regarding the remaining material terms of a settlement and, having made substantial progress expect to conclude those negotiations shortly;

WHEREAS, since the May Stipulation, the Parties have diligently continued negotiations, and reached agreement as to nearly all of the material terms of a full settlement agreement, including total monetary compensation and proposed injunctive relief, but they require additional time to work out and implement certain specific details regarding the monetary distribution plan, which require careful coordination between the Parties and the analysis of certain Zoom data;

WHEREAS, the Parties are cognizant and appreciative that the Court has accommodated the Parties’ previous requests for extensions as they finalize the settlement;

WHEREAS, the Parties anticipate that they can finish a settlement agreement and associated documents shortly and that Plaintiffs would be able to file their Motion for Preliminary Approval by July 16, 2021;

WHEREAS, on February 23, 2021, the Court approved the Parties’ stipulation extending the deadline for Plaintiffs to file for class certification and extending related deadlines (ECF No.

162);

WHEREAS, Plaintiffs filed the Second Amended Consolidated Class Action Complaint (“SAC”) on May 12, 2021 (ECF No. 179);

WHEREAS, on May 20, 2021, the Parties stipulated that Zoom’s deadline to answer or otherwise respond to the SAC is June 25, 2021 (ECF No. 183);

WHEREAS, on June 10, 2021, the Court continued the Further Case Management Conference scheduled for June 16, 2021 to June 30, 2021 and ordered that a Joint Case Management Statement be filed by June 23, 2021 (ECF No. 185);

WHEREAS, given that the Parties anticipate that Plaintiffs would file a Motion for Preliminary Approval of a settlement agreement by July 16, 2021, the Parties agree that it would be appropriate to vacate the deadlines for Plaintiffs’ Motion for Class Certification and related deadlines and Zoom’s response to the SAC, pending approval of the Parties’ settlement;

WHEREAS, alternatively, if the Court denies the Parties’ request to vacate the above-mentioned deadlines, good cause also exists to continue these deadlines in light of the Parties’ substantial progress toward finalizing a settlement agreement to be presented to the Court with Plaintiffs’ Motion for Preliminary Approval;

NOW THEREFORE, Plaintiffs and Zoom through their respective counsel, pursuant to Civil Local Rules 6-2 and 7-12, and subject to the Court’s approval, hereby stipulate and agree as follows:

1. All deadlines related to class certification are vacated. Such deadlines include the deadline for Plaintiffs’ Motion for Class Certification (June 25, 2021), Zoom’s Opposition to Plaintiffs’ Motion for Class Certification (August 13, 2021), Plaintiffs’ Reply thereto (September 3, 2021), and the hearing on Plaintiffs’ Motion for Class Certification (September 23, 2021);

2. Zoom’s June 25, 2021 deadline to answer or otherwise respond to the SAC is vacated;

3. The Further Case Management Conference scheduled for June 30, 2021 is continued to July 27, 2021 and the Joint Case Management Statement deadline of June 23, 2021 is continued to July 20, 2021;

4. These dates will be reset in the event the Parties' settlement is not finalized or not approved by the Court.

Alternatively, if the Court denies the Parties' request to vacate the above-mentioned deadlines, Plaintiffs and Zoom through their respective counsel, hereby stipulate and agree as follows:

1. Last day for Zoom to answer or otherwise respond to the SAC is July 23, 2021;
2. Last day for Plaintiffs to file a Motion for Class Certification is July 23, 2021;
3. Last day for Zoom to file an Opposition to Plaintiffs' Class Certification Motion is September 10, 2021;
4. Last day for Plaintiffs to file a Reply in Support of a Motion for Class Certification is September 31, 2021;
5. The hearing on Plaintiffs' Motion for Class Certification is set for October 14, 2021 at 1:30 p.m.;
6. The Further Case Management Conference scheduled for June 30, 2021 is continued to July 27, 2021 and the Joint Case Management Statement deadline of June 23, 2021 is continued to July 20, 2021;
7. All other deadlines shall remain the same.

IT IS SO STIPULATED.

Dated: June 17, 2021

AHDOOT & WOLFSON, PC

By: /s/ Tina Wolfson
Tina Wolfson (174806)

Interim Co-Lead Counsel

1 Dated: June 17, 2021

COTCHETT, PITRE & MCCARTHY LLP

2
3 By: /s/ Mark C. Molumphy
4 Mark C. Molumphy (168009)

5 Interim Co-Lead Counsel

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7 Dated: June 17, 2021

COOLEY LLP

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9 By: /s/ Michael G. Rhodes
10 Michael G. Rhodes (116127)

11 Attorneys for Defendant
12 ZOOM VIDEO COMMUNICATIONS, INC.

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14 **FILER ATTESTATION**

15 I, Michael G. Rhodes, attest that concurrence in the filing of this document has been
16 obtained from the other signatories. Executed on June 17, 2021, in San Francisco, California.

17
18 /s/ Michael G. Rhodes
19 Michael G. Rhodes

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IS SO ORDERED

Dated: _____

Hon. Lucy H. Koh
United States District Judge

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